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**OFFICE OF PETITIONS**

In re Application of

Atkins, et al

Application No. 10/784,137

Filing Date: 20 February, 2004.

Attorney Docket No. FORRE 67592

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DECISION ON PETITION

This is a decision on the petition filed on 6 December, 2004, under 37 C.F.R. §1.47(a), to proceed with prosecution despite an absent/non-signing inventor.

The petition is **GRANTED**.

**BACKGROUND**

This nonprovisional application was deposited on 20 February, 2004.

On 30 September, 2004, the Office of Initial Patent Examination (OIPE) mailed a Pre-Exam Formalities Notice requiring, *inter alia*, the filing of a fully executed oath/declaration.

In the 6 December, 2004 (and 3 February, 2005), filing (over a 30 November, 2004, certificate of mailing), Petitioner David G. Parkhurst (Reg. No. 29,422) submitted, *inter alia*, a statement of the last known address of the non-signing inventor Steven R. Atkins (Mr. Atkins), reason to believe the currency of that address, a copy of the transmittal letter by which a copy of the entire application was forwarded to Mr. Atkins for his review and his signing of the oath/declaration,

and an oath/declaration signed by co-inventor Mr. Owen on behalf of himself and the non-signing inventor Mr. Atkins.

Lastly, Petitioner has submitted a declaration in compliance with 37 C.F.R. §1.63 and §1.64.

This application and papers have been reviewed and found in compliance with 37 C.F.R. §1.47(a).

This application hereby is **ACCORDED status under 37 C.F.R. §1.47(a).**

As provided under 37 C.F.R. §1.47(a), the Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition.

Notice of the filing of this application also will be published in the Official Gazette.

This file is being released to OIPE for processing as necessary to reflect the instant decision before being released for examination in due course.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3214.



John J. Gillon, Jr.  
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Office of Petitions